Mr. E Ikkanda Wariar.—But, I ask, is it consistent with the policy, dignity and prestige of the Government to give preference to relations (*Hear, Hear*) when there are other persons equally qualified and who have put in more service?

President.—It is stated in the Standing Orders that the permission of the superior should be obtained in appointing relations. He cannot himself appoint relations. Whenever a relation has to be appointed, he has to seek the permission and sanction of the superior authority. That shows relations can be appointed; but subject to the qualification.

A tank for the Kattur village.

426. മിസ്റ്റർ. ആലപ്പാട്ട് കുര്യ ൊമ.—(a) കാട്ടർ വില്ലേജ് നിവാസികൾക്ക് വേനൽക്കാലത്തിൽ കുളിക്കുന്നതിനും യാതൊരു ജലാശയവും ഇല്ലാത്തകാരണത്താൽ അവർ ദിവാൻജി അവർകൾക്കും ചീഫ് മെഡിക്കൽ ആഫീസർ അവർകൾക്കും തുടരെ തുടരെയായി ബോധിപ്പിച്ചുകൊണ്ടിരുന്ന ഹർജികളുടെ ഫലമായി വില്ലേജ് സർവ്വ് 370-ൽ പെട്ടകിടക്കുന്നതായ ഒരു പുറമ്പോക്കുകളും ചൊറെട്ടുത്ത് പെട്ടപ്പാക്കി കൊടുക്കുവാൻ ഗവർമ്മെണ്ടിൽനിന്നും ഉത്തരവായതു് വിശ്വാസയോഗ്യമായിട്ടാണോ?

(b) അനുവദിച്ചതിനു ശേഷം ആ പണി ഇതുവരെയും നടത്തിക്കൊടുക്കുവാൻ സാധിക്കാതെ വന്നതിനു കാരണമെന്താണു്?

(c) വേനൽകാലത്തു് വെള്ളംകിട്ടാതെ കഷ്ടപ്പെട്ടു വലയുന്നതിനാൽ വില്ലേജ് നിവാസികളുടെ സങ്കടനിവൃത്തിക്കായി ഗവർമ്മെണ്ടിൽനിന്നും അനുവദിച്ചുകിടക്കുന്നതായ പുറമ്പോക്കുകളും ഇനിയെങ്കിലും ചൊറെട്ടുത്തു് വെട്ടിപ്പാക്കിക്കൊടുക്കുന്നതിലേക്ക് ഗവർമ്മെണ്ടു് ദയവായി മനസ്സുവെക്കുമോ?

ദിവാൻ ബഹദൂർ ഡാക്ടർ വി. വർഗീസ്.—(a) 1100-ാമാണ്ടിൽ.

(b) അക്കൊല്ലത്തിൽ മതിലും അടിയന്തിരമായ പണികളും നടത്തേണ്ടതുണ്ടായിരുന്നതുകൊണ്ടും പ്രസ്തുത കുളത്തിന്റെ പണിക്കുവേണ്ടി വരുന്ന സംഖ്യ 1100-ൽ ബഡ്ജറ്റിൽ ഇല്ലാതിരുന്നതിനാലും പണി നടത്തുവാൻ സാധിച്ചില്ല.

(c) ഗവർമ്മെണ്ടു് ഇക്കാര്യത്തിൽ കഴിയുന്നതും ശ്രദ്ധവയ്ക്കുന്നതാണു്.

A Town Improvement Committee for Trippunittura.

427. **Mr. K. S. Rama Ayyar.**—Will the Government be pleased to constitute a Town Improvement Committee for Trippunittura, like the one at Kunnamkulam, in view of the growing importance of the place?

Diwan Bahadur Dr. V. Verghese.—Government do not consider it necessary since improvements are now being carried out satisfactorily by the Sanitary Department.

Objections to the location of the Leper Asylum at Anappara.

428. **Mr. A. B. Salem.**—(a) Will the Government be pleased to inform whether they have received any objections

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from the Trichur Municipal Council and its neighbourhood between the 15th October 1919 (the date of declaration of the acquisition of the site) and the 13th April 1922 (the date on which Rao Bahadur Mr. P. Narayana Menon assumed office as Diwan of Cochin), and if so, whether the Government be further pleased to lay them on the table ?

(b) Have the Government obtained an expert opinion on the objections to the location of the Asylum at Anappara and whether the attention of the Government has been drawn to the statement of Dr. Puduval in his communication dated 24th October 1922 to the Municipal President, Trichur, in the 3rd para of the same, namely, that for every leper that is confined within its precincts there are more than thrice the number roaming about and mingling freely about in society ?

Diwan Bahadur Dr. V. Verghese.—(a) The member is referred to the answer to question 1 (v) of the budget session. No other papers are forthcoming. But it was stated in this House that representations had been made to the Diwan Mr. Vijayaraghava Charya on the subject (vide page 187 of the *Legislative Council Proceedings* of the budget session).

(b) The Trichur Municipal Council appointed a Committee of 3 medical men to consider the question. The Council's resolution on the Committee's Report has been printed as Appendix to the answer to question No. 1 of the budget session. There is no record to show that other expert opinion was obtained.

The Government have seen Dr. Puduval's statement referred to.

Mr. A. B. Salem.—Sir, are the Government aware of the date of the representations mentioned in the answer to (a)?

President.—Is it about the Anappara Asylum?

Mr. A. B. Salem.—Yes, Sir, (*Laughter*).

President.—What is it that you want?

Mr. A. B. Salem. - I ask a supplementary question. Are Government aware of the date of this representation? It is said here: "It was stated in this House that representations had been made to the Diwan Mr. Vijayaraghava Charya." Are the Government aware of the date of this representation?

President.—Are you in a position to say when the representations were made? It might be long before your coming into the service.

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Diwan Bahadur Dr. V Verghese.—It is not in my memory.

Mr. A. B. Salem. I am only asking the question to get an answer "yes" or "no".

Diwan Bahadur Dr. V. Verghese.—The Government are not aware of the date, and so are not able to say.

Mr. A. B. Salem.—All right. "Not able to say". Is there any record for it?

President.—Is there any record to show the date of the representation?

Diwan Bahadur Dr V: Verghese.—I require notice,

Mr. A. B. Salem.—You require notice! Is it usual to keep a record of representations?

Diwan Bahadur Dr. V. Verghese.—It all depends upon the nature of the representation, whether written or verbal,

Mr. A. B. Salem.—I ask, is it usual to keep a record of representations whether verbal, written or otherwise?

Diwan Bahadur Dr. V. Verghese.—So far as the working of the department is concerned, it is not common practice to make a note of oral representations. If it is a written representation, of course, a record is kept. If it is a verbal representation, it may or may not be made. If it is important and requires to be recorded, it may be recorded. We cannot say one way or the other—may or may not be.

President.—That is to say, it is not the rule to keep a record of oral representations, There is no fixed rule on the point.

Mr. A. B. Salem.—I ask whether it is usual:

President.—There is no fixed rule on the point.

Mr. A. B. Salem.—I ask, is it the usual practice to keep a record of the representations?

President.—We may note oral representations, if they are important. If they are unimportant, no record will be made.

Mr. A. B. Salem.—Has the Government corroborated this statement?

President.—Which statement?

Mr. A B Salem.—The statement that representations have been made to Diwan Mr. Vijayaraghava Charya.

Diwan Bahadur Dr. V. Verghese.—What is it?

Mr. A. B. Salem.—Are you in a position to corroborate this statement?

President.—Please explain.

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Mr. A. B. Salem.—The statement is not a Government statement. This is a statement made to the Government. Therefore, Government have not adopted that statement. I ask is the Government able to corroborate that statement?

President —When was the statement made?

Mr. A. B. Salem.—The statement was made by the member in his speech,

President.—Which member made that statement?

Mr. A. B. Salem.—The statement made is published on page 187 of the *Legislative Council Proceedings* (Budget Session).

President.—It is a speech of Mr Kochunni Menon. What you ask is whether the Government have made themselves sure that such a representation was, as a matter of fact, made by Mr. Kochunni Menon.

Mr. A. B. Salem.—Yes, Sir.

President.—Are you in a position to verify that?

Diwan Bahadur Dr. V. Verghese.—No. Government do not know anything about it.

Mr. A. B. Salem.—Mr. Kochunni Menon said in the budget session that representations were made to the Diwan Mr. Vijayaraghava Charya. Is the Government in a position to say that Mr. Kochunni Menon made such a representation?

Diwan Bahadur Dr. V. Verghese.—No. Government is not in a position to say.

Mr A B Salem.—Did you know of this, before you answered this question that Government is not in a position to say? I only asked as a matter of fact, were you aware of the fact that you are not in a position to say? Was Government aware of the fact that representations have been made?

President.—That is only a fact based on the representation?

Mr. A. B. Salem.—Yes, Sir. Government simply said that it was stated in this House that resprentations had been made to Diwan Mr Vijayaraghava Charya. Has this answer been adopted by the Government as a matter of fact?

President.—We want the question to be clearly understood, and then you will get the proper answer. What is stated here is is that representation has been made to Diwan Mr. Vijayaragha Charya. Such a statement was made by a member during the budget session, and that is reproduced. here. That is all. What is it that you want?

Mr. A. B. Salem.—What I want to know is whether Government is aware that there was no record of this representation or whether they keep a record.

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President.—But did not Dr. Verghese answer that there was no record ?

Mr. A. B. Salem.—My last question was whether you were aware of the fact that you were in a position to answer that question before you answered this question.

President.—I don't follow you.

Mr. A. B. Salem.—I shall explain myself. The answer is recorded here. Whether at the time of recording or giving me the written answer, were the Government aware that they were not in a position to verify their statement ? That is my question. They have not verified the statement and they are not in a position to verify. We they aware of the fact. It was said in reply to one of my supplementary questions that, if it is important, it will be recorded, and that there is no fixed rule. In the absence of a fixed rule, it will depend upon the importance of the matter. Were all the records examined and found out that it was not possible, and that they were not in a position to verify the statement ?

President.—Were the records examined ? Are you in a position to say ?

Mr. P. Damodara Menon.—Records were examined, and nothing about this representation was seen.

Mr. A. B. Salem.—You are not in a position to verify the statement. If so, did the Government make any reference to Diwan (now Sir) T. Vijayaraghava Charya whether that statement was made ?

Mr. P. Damodara Menon.—No reference was made.

Mr. A. B. Salem.—Will not the Government be pleased to make a reference now ?

President.—What is the object?

Diwan Bahadur Dr. V. Verghese.—These is necessity of making a reference.

Mr. A. B. Salem.—I say it is absolutely necessary.

President.—We will consider it.

Mr. A. B. Salem.—If the Government is prepared to make a reference, I don't want to ask supplementary questions.

Diwan Bahadur Dr. V. Verghese.—It is entirely a new question, Sir. It is not a supplementary question.

Mr. A. B. Salem.—Are you prepared to make a reference to the officer to confirm the statement which you adopt?

Diwan Bahadur Dr. V Verghese.—I don't consider it Government's duty to make a reference.

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Mr. A. B. Salem.—I only ask whether you adopt the statement now.

President.—His supplementary question is whether the Government will be pleased to make a reference.

Diwan Bahadur Dr. V. Verghese.—No. The Government will not be pleased. The Government sees no necessity for making a reference.

Mr. A. B. Salem.—Did the Government adopt the statement as a fact?

President.—His question is whether, as a matter of fact, according to the statement made by the member, representations had been made. There is no record to show such representations had been made, and you are not going to refer the matter to Mr. Vijayaraghavacharya.

Mr. A. B. Salem.—I shall be pleased with any answer the Hon'ble Member gives.

Mr. A. Sankara Puduval.—A point of order, Sir. The first hour of every sitting shall be available for the asking and answering of questions. We have exceeded our time by 10 minutes.

President.—But anyhow, there are very many questions to be asked, and this should not stand in the way.

Mr. V. K Kochunni Menon.—I told Mr. Vijayaraghavacharya about this.

Mr. A. B. Salem.—I am prepared to accept Mr. Kochunni Menon's statement.

President.—It may or may not be true. We will take it like that. We do not know. There is no written record.

Mr. V. K. Kochunni Menon.—I am not going to say that it may be considered an important representation. I went there on some other business and spoke about this matter.

President.—He casually went there, and spoke about this matter also.

Mr. A. B. Salem.—Mr. Kochunni Menon had a talk with the Diwan. It was not a representation.

President.—Are your supplementary questions over?

Mr. A. B. Salem.—No, Sir. I was referred by the Hon'ble Member to answer to question 1 (5) of the budget session. Of course, it would have been very simple and easy to say "No".

President.—If you want explanations, we can give you. It is not a question of easiness or difficulty.

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Mr. A. B. Salem.—The question was:—"Will the Government also be pleased to lay on the table their reasons for abandoning the Anappara Leper Asylum, after such great cost, and after sanction had already been accorded for opening the same?" The answer is. "Objections were raised by the Trichur Municipal Council and the inhabitants of Trichur and the neighbourhood of Anappara, and effect was given to them. Available papers are placed on the table" and the available papers are in Appendix i and ii.

Now, Sir, between 19th October 1919 and 17th November 1922, have all despatch books and receipt books been examined before giving me this answer, if there are no papers forthcoming?

President.—It refers to an old matter.

Diwan Bahadur Dr. V. Verghese.—These are not supplementary questions at all. I require notice.

President.—First of all, this took place in the budget session.

Mr. A. B. Salem.—My question was whether they have received any objections between 15th October 1919 and 13th April 1922, and the answer was that no other papers are forthcoming, and that all available papers have been placed on the table. If there are no papers, I shall be satisfied.

President.—You want the despatch book and the current register to be examined?

Mr. A. B. Salem.—That is, books in which all papers despatched and received are copied.

Mr. K. Govinda Menon.—There is no receipt book maintained by the Government.

President.—No receipt register. Do you mean the current register.

Mr. A. B. Salem.—That is what I am asking—whether the current registers have been examined before giving this statement.

Mr. P. Damodara Menon.—I am not in a position to say.

Mr. A. B. Salem.—Then, Sir, in answer to question No. 285, it is stated that no orders were passed on the petitions specifically; there is only one petition here, and he has used the word plurally. I wish to know which these petitions are.

President.—Is there more than one petition?

Mr. A. B. Salem.—Answer to question No. 285, page 6, the printed questions and answers of the 5th February meeting.

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President.—This is with reference to a previous answer on the Leper Asylum question.

Mr. A. B. Salem.—All the questions were clubbed together. Here it is said: "No orders were passed on the petitions specifically". Now, they say there is only one petition that and is put in the Appendix to that answer. I ask, how was that mistake made?

President.—Which is that question? Yes, the Government passed orders on the petition.

Mr. A. B. Salem.—Will the Government be pleased to state the orders passed on the petition?

Mr. P. Damodara Menon.—I must look into the file. It is an old matter.

Mr. A. B. Salem.—Will the Government be pleased to place on the table the other papers connected with this question? Will the Government be pleased to state whether they have received any petitions? They must have looked into the matter. This is my complaint that questions are not answered.

President.—This is a question put by you at the last meeting.

Mr. A. B. Salem.—At this meeting I put a fresh question. That is question No. 428, which we are now dealing.

President.—That is (a) or (b)?

Mr A. B. Salem.—(a) " Will the Government be pleased to inform whether they have received any objections from the Trichur Municipal Council and its neighbourhood between the 15th of October 1919 (the date of declaration of the acquisition of the site and the 13th April 1922 (the date on which Rao Bahadur P. Narayana Menon assumed office as Diwan of Cochin, and if so, whether the Government be further pleased to lay them on the table?". The answer is: "The member is referred to the answer to question (1) to (5) of the budget session." The Hon'ble Member for the Government says that he must look into the file. Evidently, he has not looked into the file.

Mr. A. Sankara Puduval.—On a point of order, Sir. S. O. No. 26 lays down as follows : –

" A motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question but not so as to interrupt a speech. If the motion is carried, the meeting or business shall be adjourned or postponed accordingly, or if the motion carried be that the Council pass to the business next in

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order in the statement of business, the business then under discussion shall be considered to be disposed of ".

As per this rule, I beg to move that the Council may pass on to the next item of business.

Mr. A. B. Salem —Certainly not. When I am standing on my legs, I am in full possession of the House. When I sit down, you can speak. The motion is only for debate.

President.—It is within the discretion of the President to allow more time than one hour for the asking and answering of questions.

Mr. C. A. Ouseph.—Once before, it was allowed.

Mr C. A. Kunjunni Raja.—S. O. No. 26 refers only to a business under discussion.

Mr A. B. Salem —I am not debating. I am only asking supplementary questions.

President.—So you say that this adjournment motion is one which will not apply to questions at all ?

Mr. A. B. Salem.—There is no possibility of any member rising up and saying that we shall proceed to the next item of business, when one member is asking supplementary questions. My learned friend has misconceived it altogether.

President.—This will not apply to questions. In the rules it is said that, before the business begins, questions and answers shall be gone through.

Mr. A. Sankara Puduval.—If I am allowed, I shall explain the matter. Questions and answers form one of the items of business.

President.—Why do you call it a business ?

Mr. A. Sankara Puduval.—It is also a business. What I mean is not in the sense of a debating business. There are rules with reference to the opening and closing of debates.

President.—Do you say that putting questions and answering them make the business a discussion ?

Mr. A. Sankara Puduval.—Can a member ask questions for one hour ?

President.—It depends entirely upon the discretion of the President. The Council is not here to spend the whole time for questions and answers. So we will enter into the next business.

Mr. A. Sankara Puduval.—I have absolutely no objection.

Mr. A. B. Salem.—Sir, then I am to put my supplementary question in the next hour?

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If we adjourn, my right of further speaking in the matter may be lost, and so I humbly request that my right to ask questions shall not be affected in the least.

Mr. A. Sankara Puduval.—The procedure is that this adjournment can be made, while the business in regard to the questions and answers is not over.

Mr. A. B. Salem. –I submit that it is not.

President.—You ask whether the adjournment can be made, before the business of questions and answers is over. I ask the question whether the item of questions and answers is a " business " of the meeting.

Mr. A. B. Salem.—These rules were framed subsequently.

Mr. C. A. Ouseph.—The first hour shall be available for the asking and answering of questions.

President.—Can we move on to the next item of business ? What have you to say, Mr. Puduval ?

Mr. A. B. Salem.—I am in full possession of the House; and if I sit down, I shall not be affected in the least.

Mr. A. Sankara Puduval.—Section 7 of the Standing Orders lays down the rule for the sitting of Councils and the arrangements of business. The first hour of every meeting is allotted for the asking and answering of questions. The first hour has been fixed by the President. Now, we have exceeded one hour.

President.—Suppose the question is not over by that time?

Mr. A. Sankara Puduval.—It is open to move an adjournment motion.

President.—So what you say is that the first hour must be allotted for the asking and answering of questions, and if during that hour that business is not over, any member can bring forward an adjournment motion. Can an adjournment be made, if it is not allowed by the President?

Mr. A Sankara Puduval.—I think inasmuch as we have exceeded the time by half an hour, the first item cannot any longer be continued. Sir, it is said that I have interrupted the speech. As per rules laid down in the *Manual*, I am perfectly justified in moving this motion, and I move it.

Mr. C. A. Kunjunny Raja.—Sir, I second it.

Mr. C. A. Ouseph.—S. O. No. 26 does not refer to questions and answers. Questions should not be discussed, and there is no discussion of questions. So this cannot apply to questions.

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President.—But what do you say? Are these questions and answers an item of business or not?

Mr. C. A. Ouseph.—It is an item of business. But it is not as contemplated by S. O. 26.

Mr. A. B. Salem.—The rule is as clear as crystal. There it is stated that the business *under discussion* shall be disposed off. I have got my own right to put supplementary question still. This motion for adjournment and closure applies only to *business under discussion*. Questions and answers are not discussed.

President.—It is open to the Legislature to say that this adjournment motion will not apply to questions and answers. From the words used here, we are to infer that this adjournment will not apply to questions and answers. I do not think that any member in any legislature will bring forward such an adjournment motion.

The Leper Asylum at Vendurutti.

429. Mr. A. B. Salem.—(a) Will the Government be pleased to inform whether they have observed any deleterious effect and injury to the health, wealth, happiness and welfare of the towns of Mattancheri, Ernakulam and that of the island of Vendurutti and Bolghatti by the existence of a Leper Asylum at Vendurutti;

(b) the comparative distance of the Vendurutti Leper Asylum to Mattancheri, Ernakulam and Bolghatti with that of Anappara and the present town of Trichur?

Diwan Bahadur Dr. V. Verghese.—(a) As the matter requires a thorough investigation, no definite answer can be given.

(b) The information required is contained in the statement appended. (*Vide Appendix IX.*)

The tank at Kakkad.

430. Mr. K. T. Mathew.—Will the Government be pleased to state whether the tank at Kakkad which is mentioned to be under the Sanitary Department [answer to question No. 110 (a)] is a Government tank or a tank under the Devaswam Department or one attached to the Palace at Kakkad, and if it is a Government tank, whether it is open to all castes and creeds, and if not, to mention the castes and creeds which are prohibited from using the tank?

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